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fax transmittal

FROM:**Name** Boris A. Matvenko**Date** August 7, 2007**# of Pages** 6**To:**

Name	Company	Business#	Fax #
Examiner Young	United States Patent and Trademark Office	571-272-1644	571-273-1644

Comments:

Examiner Young:

Enclosed is an Amendment to Section (iii) of the Amended Appeal Brief, filed on July 5, 2007, regarding **U.S. Patent Application No. 09/745,305**. Should you have any questions, please do not hesitate to contact me at 212-692-6858.

Respectfully Submitted,


Boris A. Matvenko

Please call us at 212-935-3000 if you experience any problems.

STATEMENT OF CONFIDENTIALITY

The information contained in this fax is intended for the exclusive use of the addressee and may contain confidential or privileged information. If you are not the intended recipient, you are hereby notified that any form or dissemination of this communication is strictly prohibited. If this fax was sent in error, please immediately notify us by phone.

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

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Date of Facsimile Transmission: August 7, 2007

Attorney Docket No.: 27996-133

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter Tavernese Jr. Examiner: Nguyen, Quynh H.
Serial No.: 09/745,305 Group Art Unit: 2642
Filed: December 21, 2000 Confirmation No: 2060
Title: **CUSTOMER SERVICE RESPONSE SYSTEM FOR INTERACTION WITH
CUSTOMER SERVICE AGENTS**

MAIL STOP APPEAL BRIEF-PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application are the following documents:

1. Amendment to Section (iii) of the Amended Appeal Brief, filed on July 5, 2007; and
2. Certificate of Facsimile Transmission.

The Commissioner is hereby authorized to charge any fee that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Ref. No.: 27996-133. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,



Dated: August 7, 2007

Boris A. Matvenko, Reg. No. 48,165
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Alexandria, VA 22313-1450

**AMENDMENT TO SECTION (iii) OF THE AMENDED APPEAL BRIEF, FILED ON
JULY 5, 2007**

Sir:

In accordance with a telephone conference conducted on August 7, 2007, with Examiner Young and Applicants' representatives Richard M. Lehrer and Boris A. Matvenko, Applicants hereby submit the following amendment to Section (iii) Status of the Claims of the Amended Appeal Brief filed on July 5, 2007.

Amendments to the Amended Appeal Brief begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

Date of Facsimile Transmission: August 7, 2007

Attorney Docket No.: 27996-051

Amendment to the Amended Appeal Brief

The following section (iii) replaces all previous sections (iii) in the Amended Appeal Brief, filed on July 5, 2007:

(iii) Status of the Claims:

Claims 1 and 3-29 are pending in the U.S. Patent Application Serial No. 09/745,305 ("305 application"). Claims 1 and 3-29 are pending, stand rejected and are currently on appeal. Claim 2 has been previously cancelled without prejudice or disclaimer. Status of each claim is also indicated in the enclosed Claims Appendix.

Specifically, Claims 1 and 3-29 stand rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 5,884,032 to Bateman et al. (hereinafter, "Bateman") in view of U.S. Patent No. 5,327,486 to Wolff et al. (hereinafter, "Wolff").

Date of Facsimile Transmission: August 7, 2007

Attorney Docket No.: 27996-051

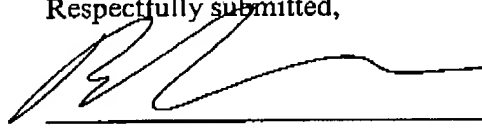
REMARKS

Applicants would like to thank Examiner Young for telephoning Applicants' undersigned representatives on August 7, 2007 to correct an informality in the Amended Appeal Brief, filed July 5, 2007. Applicants have corrected the informality. With the above correction, Applicants believe that the Amended Appeal Brief, as submitted on July 5, 2007 now complies with the rules and regulations set forth in the Manual of Patent Examining Procedure.

No new matter has been added. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicants' undersigned representatives to expedite further processing of the application.

Applicants believe that no further fees are due, however, the Commissioner is hereby authorized to charge any fee that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Ref. No.: 27996-133.

Respectfully submitted,



Dated: August 7, 2007

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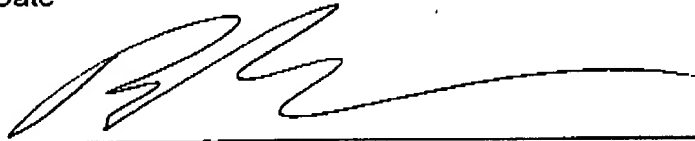
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Date



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Boris A. Matvenko

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Reg. No. 48,165

Registration Number, if applicable

212-935-3000

Telephone Number

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The following is being facsimile transmitted to the U.S. Patent and Trademark Office regarding U.S. Application No. 09/745,305: 1. Transmittal Letter (1 page); 2. Amendment to Section (iii) of the Amended Appeal Brief, filed on July 5, 2007 (3 pages).

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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